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3 **FACSIMILE #571-273-8300, FOR EXAMINER**
4 **JENNIFER A. LEUNG, TELEPHONE 571 272**

5 **1449, ART UNIT 1764**

6 Response _____ pages,
Drawings _____ sheets
7 Terminal Disclaimer _____ sheet.
Exhibits _____ pages
8 Total Fax pages _____

Our Ref. No. P-1427-001

9 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

10 In Re Application of: }
BEIERLE Date: May 3, 2006
11 Serial No. 10/669,666 }
12 Filed: September 23, 2003 Group Art Unit: 1764
13 For: METHOD OF PRODUCING }
CHARCOAL, CONDITIONED GAS AND
14 POTASSIUM FROM BIOMASS }
15 }
16 }
17 Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231 }
18 Dear Commissioner:
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Response if Timely Filed.

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The applicant respectfully observes that this response is timely filed. However,
23 the Examiner is hereby authorized to deduct other fees owing from the deposit account of
24 Liebler, Ivey & Connor, P.S./Floyd E. Ivey, 35,552, Deposit account No. 50-0607.
25
26

27 Certificate of facsimile filing }
on May 3, 2006 by Floyd E. Ivey, }
28 Serial No. 10/669,666 }

Floyd E. Ivey, USPTO 35552,

Application No. 10/669,666

1 **I. INTRODUCTORY COMMENTS**

2 **Response to Examiner's Notice of Non-Compliance of April 26, 2006.**

3 Your applicant notes that the Non-Compliance regards the prior response to the
4 USPTO restriction wherein election was made to Claims 10-21 drawn to the apparatus.
5 The Non-Compliance regards the inclusion in the Response to the Restriction of Claims
6 1-9 each introduced by the word (Original) rather than (Withdrawn). Your applicant
7 spoke with The Examiner in April, 2006, was advised of the Non-Compliance and
8 requested the Examiner to make the correction via an Examiner's Amendment. This
9 request was made pursuant to the advice by the USPTO of "Acceptance of Certain Non-
10 Complaint Amendments Under 37 CFR 1.121(c)." Your applicant respectfully submits
11 that Examiner's Amendment is permitted by the directions at the indicated notice re:
12 Non-Compliant Amendments.

13 Your applicant now responds to the Examiner's Notice of Non-Compliant
14 Amendment of April 26, 2006. Your applicant advises that the Amendments to claims
15 10-21 have not been changed and are in the same form as submitted with the response to
16 the Restriction.

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27 Certificate of facsimile filing
28 on May 3, 2006 by Floyd E. Ivey,
 Serial No. 10/669,666

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Floyd E. Ivey, USPTO 35552,